

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of Shannon Ashley Jones and
Tazahane Shantinique Jones, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

JALONDA RENA JONES,

Respondent-Appellant.

UNPUBLISHED

August 21, 2003

No. 245534

Wayne Circuit Court

Family Division

LC No. 01-400873

Before: Markey, P.J., and Cavanagh and Saad, JJ.

MEMORANDUM.

Respondent appeals by right the order terminating her parental rights. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Under MCL 712A.19b(3), the petitioner for the termination of parental rights bears the burden of proving at least one ground for termination. *In re Trejo Minors*, 462 Mich 341; 617 NW2d 407 (2000). Once the petitioner has presented clear and convincing evidence that persuades the court that a ground for termination is established, termination of parental rights is mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.*, 355-356. Decisions terminating parental rights are reviewed for clear error. *Id.*, 356.

The petition alleged that respondent failed to rectify conditions that led to the adjudication, failed to provide proper care and custody, and it was reasonably likely that the children would be harmed if returned to her home. MCL 712A.19b(3)(c)(i), (g), and (j).

There is clear and convincing evidence to support the termination of respondent's parental rights. The children came to the court's attention when police conducted a drug raid on their grandmother's house, where they were staying. Knowing her mother's history and faced with the dilapidated condition of her house, respondent nonetheless chose to leave her children with her mother. This is sufficient, clear and convincing evidence. Respondent did not make any progress in meeting the requirements of her parent-agency agreement. Respondent failed to present any documentation showing employment or a suitable residence. After lying to the court about her drug use and failing to give drug screens, respondent left a required six-month aftercare program after a week and a half. The court did not clearly err in finding that

respondent failed to rectify the conditions that led to the adjudication, failed to provide proper care and custody, and that there was a reasonable likelihood that the children would be harmed if returned to the mother's home. There is no evidence that termination is not in the best interests of the children.

We affirm.

/s/ Jane E. Markey

/s/ Mark J. Cavanagh

/s/ Henry William Saad